

STATE OF MAINE
YORK, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-14-178

BENJAMIN DESJARDINS and
MARIANNA DESJARDINS,

Plaintiffs,

v.

ORDER

NEW ENGLAND MOTOR FREIGHT and
DARREN CASTONGUAY,

Defendants.

Plaintiffs bring claims for negligence and loss of consortium arising out of a tractor-trailer accident that occurred on Interstate 95. Defendants have asserted counterclaims for negligence. Before the court is plaintiffs' motion to extend the deadline to designate an expert.

Plaintiffs wish to designate an expert as to liability after defendants designate their expert in support of their counterclaim. Defendants oppose the motion to extend the deadline on the grounds that plaintiffs have already designated a liability expert to testify as to their case-in-chief. As the counterclaim also concerns negligence, defendants assert that plaintiffs have no compelling need to designate another expert on the same issue.

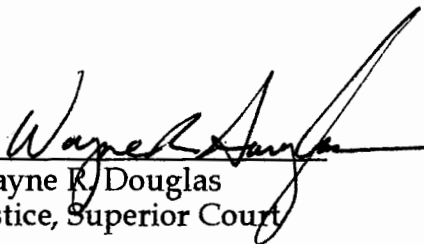
Because plaintiffs moved well before the deadline and defendants have not alleged any prejudice will result, the court grants the plaintiffs' motion. *See Hutz v. Alden*, 2011 ME 27, ¶ 21, 12 A.3d 1174.

The clerk will make the following entry, by reference, on the docket pursuant to Rule 79(a):

The motion to extend the expert designation deadline is hereby GRANTED.

SO ORDERED.

DATE: November 2, 2015


Wayne R. Douglas
Justice, Superior Court

CV-15-64

ATTORNEYS FOR PLAINTIFF:

BENJAMIN R GIDEON
DOV SACKS
BERMAN & SIMMONS PA
PO BOX 961
LEWISTON ME 04243-0961

ATTORNEY FOR DEFENDANT:

KENNETH PIERCE
MONAGHAN LEAHY LLP
PO BOX 7046
PORTLAND ME 04112-7046